

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Thomas F. Perrmann	:	
	:	
Plaintiff(s)	:	
	:	Case Number: 1:05cv633
vs.	:	
	:	District Judge Susan J. Dlott
CF Industries Inc.	:	
	:	
Defendant(s)	:	

JUDGMENT IN A CIVIL CASE

Decision by Court: This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

. . . that the Defendant's Motion to Dismiss Plaintiff's ERISA Claim and Breach of Ohio Public Policy Claim Pursuant to Rule 12(b)(6) (doc. 6) is **DENIED AS MOOT** and Defendant's Motion for Summary Judgment (doc. 17) is **GRANTED**.

12/21/06

JAMES BONINI, CLERK

s/William Miller  
Deputy Clerk

Pursuant to S. D. Ohio Civ. R. 79.2(a) and (b), all models, diagrams, depositions, photographs, x-rays and other exhibits and materials filed or offered in evidence shall be withdrawn by counsel without further Order within six (6) months after final termination of the action. All materials not withdrawn shall be disposed of by the Clerk as waste.